

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

AYTRA MOORE

PETITIONER

v.

NO. 2:06CV00203 JLH

LINDA SANDERS, Warden, FCI
Forrest City, Arkansas

RESPONDENT

ORDER

The Court has received findings and a recommendation from Magistrate Judge H. David Young. After a careful review of the findings and recommendation, the timely objections received thereto, and a de novo review of the record, the Court concludes that the findings and recommendation should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects, with the following addition:

The Court adds the following explanation. Moore contends that the Tennessee parole violation warrant was not issued until January 25, 2004. He relies upon the BOP Memorandum for J & C File dated January 19, 2006. That memorandum recites the following chronology:

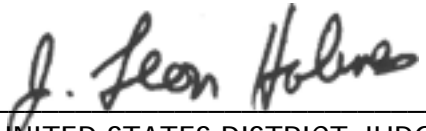
SUBJECT: Inmate MOORE, Aytra #17949-076
Federal Date of Offense: _____; 11-19-2000
12-20-2000 Arrested Shelby Cnty Aggravated Robbery
01-25-2004 violation warrant - new charge
02-16-2001 Dismissed; held on violation warrant
08-28-2001 writ to USM
10-03-2003 return to USM
11-04-2003 Parole Revoked
11-17-2005 Paroled to USM detainer

Tennessee authorities report that the parole violation warrant was issued on

January 25, 2001. It is apparent that the date "01-25-2004" in the BOP memorandum is a typographical error. If the warrant in fact had been issued on "01-25-2004," the entry would have been placed between "11-04-2003" and "11-17-2005."

With the addition of this comment, the Court adopts the Magistrate's proposed findings and recommendation in all respects. The petition for writ of habeas corpus filed by petitioner Aytra Moore is dismissed and all requested relief is denied. His motion for appointment of counsel is also denied. Judgment will be entered for respondent Linda Sanders.

IT IS SO ORDERED this 17th day of May, 2007.


UNITED STATES DISTRICT JUDGE